



**THE ATTORNEY GENERAL  
OF TEXAS**

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ATTORNEY GENERAL**

**AUSTIN, TEXAS 78711**

February 11, 1972

Honorable Jim Bates, Chairman  
Legislative Property Tax Committee  
105 West Riverside Drive  
Austin, Texas 78704

Opinion No. M- 1067

Re: Whether the provisions of  
Article 664-3, Vernon's  
Civil Statutes (State Pur-  
chasing Act), apply to the  
Legislative Property Tax  
Committee created by Article  
7100, Vernon's Civil Statutes.

Dear Senator Bates:

Your request for an opinion on the above subject matter asks whether the Legislative Property Tax Committee is required to purchase supplies, materials and equipment through the State Board of Control or whether the Legislative Property Tax Committee may make such purchases itself.

Senate Bill 414, Acts 62nd Legislature, R.S. 1971, Ch. 221, page 1063, amends Article 7100, Revised Civil Statutes of Texas, 1925. Section 1 of Article 7100, as amended, creates the Legislative Property Tax Committee. Subdivision (f) of Section 3 of Article 7100, as amended, provides:

". . .

"(f) The Committee shall have power and authority to expend its funds, hereinafter provided, to employ and compensate all necessary consultants, investigators and other personnel, to contract for materials and services as required and to pay travel, telephone and other official expenses approved by the Committee."

Section 5 of Article 664-3, Vernon's Civil Statutes, as amended by Senate Bill 373, Acts 62nd Legislature, R.S. 1971, Ch. 57, page 109, provides in part:

"Sec. 5. The Board shall purchase all supplies, materials, services and equipment used by each

department of the State government, including the State Prison System, and each eleemosynary institution, Teachers College, Agricultural and Mechanical College, University of Texas, and each and all other State schools or departments of the State government heretofore or hereafter created, such supplies to include furniture and fixtures, technical instruments and books, and all other things required by the different departments or institutions, including perishable goods. . . ."  
(Emphasis added).

Subdivision (c) of Section 3 of Article 664-3, Vernon's Civil Statutes, defines "Department of State Government" as follows:

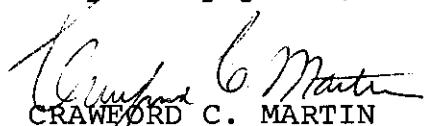
"(c) The term 'Department of State Government' includes only departments and agencies of the type heretofore required to make purchases through the Board of Control. River authorities, conservation and reclamation districts, and other political subdivisions created by the Legislature are not required to purchase through the Board of Control unless some other statute specifically requires it."

We find no provision in Senate Bill 414, Acts 62nd Legislature, R.S. 1971, which exempts the Legislative Property Tax Committee from the provisions of Article 664-3, Vernon's Civil Statutes. You are accordingly advised that purchases of supplies, materials and equipment by the Legislative Property Tax Committee are to be made through the State Board of Control pursuant to the provisions of Article 664-3, Vernon's Civil Statutes.

S U M M A R Y

Purchases of supplies, materials and equipment by the Legislative Property Tax Committee are to be purchased through the State Board of Control pursuant to the provisions of Article 664-3, Vernon's Civil Statutes.

Very truly yours,

  
CRAWFORD C. MARTIN  
Attorney General of Texas

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Assistant Attorney General

APPROVED:  
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